

Inventor: Childress
U.S. Pat. Appl. No.: 09/603,302
Atty. Dckt. No.: 5053-35700

Remark/Arguments

A. Claims in the Case

Claims 1 – 113 are rejected. Claims 1, 6 – 9, 13, 20 – 24, 29, 36 – 40, 43 – 45, 47 – 71, 74 – 81, 84, 85, 88, 93 – 95, 100, 107 and 108 have been amended. Claims 1 – 113 are pending in the case.

B. The Claims Are Not Obvious Over Ryan in View of Brooks Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-113 as being obvious over U.S. Patent Application No. 5,655,085 to Ryan et al. (hereinafter, “Ryan”) in view of U.S. Patent Application No. 4,992,972 to Brooks et al. (hereinafter “Brooks”) under 35 U.S.C. § 103(a). Applicant respectfully disagrees with these rejections.

Applicant has amended claims 1, 6 – 9, 13, 20 – 24, 29, 36 – 40, 43 – 45, 47 – 71, 74 – 81, 84, 85, 88, 93 – 95, 100, 107 and 108. The amended claims are drawn to a method and system for processing bodily injury insurance claims. Moreover, the amended claims recite a combination of features that include “initiating processing of a bodily injury insurance claim on the computer-based bodily injury insurance claims processing system, wherein said processing of the bodily injury insurance claim on the computer-based bodily injury insurance claims processing system comprises one or more steps, and wherein each step is displayable in a display page on the display, and wherein processing a bodily injury insurance claim comprises evaluating, analyzing and estimating the amount of damage associated with the bodily injuries.” For example, Applicant’s specification states:

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The insurance claims processing system 10 may be used by an Insurance Company for various embodiments of a system and method for processing insurance claims. As used herein, an Insurance Company (IC) includes a business organization that provides insurance products and/or services to customers. More particularly, the insurance products may pertain to providing insurance coverage for accidents and the trauma-induced bodily injuries that may result due to the accident. Examples of trauma-induced bodily injuries may include, but are not limited to: loss of limb(s); bone fractures; head, neck and/or spinal injury, etc.

In one embodiment, on receiving a trauma-induced bodily injury, a customer may file an insurance claim (IC) with his/her insurance organization to cover medical and other accident-related expenses. An IC may utilize a computer-based insurance claim processing system to process insurance claims. In one embodiment, the processing may include estimating a value associated with the filed insurance claim. (Specification, page 13, lines 11 – 21).

Ryan and Brooks do not disclose, teach, or suggest “processing a bodily injury insurance claim comprises evaluating, analyzing and estimating the amount of damage associated with the bodily injuries” as recited in claims 1, 13, 24, 29, 40, 43, 54, 64, 69, 78, 81, 88, 95, 100, and 108. Ryan teaches:

The system can, for example, be owned and operated by a suitably licensed national intermediary, for example, a broker or data processing company. The intermediary would work in conjunction with life insurance companies (and their agents and representatives) to design, develop, and distribute universal life insurance policies. (Ryan, col. 5, lines 25-30).

In accordance with one desirable aspect of the invention, information regarding a life to be insured and other data needed to provide an illustration of a universal life insurance policy for that individual is keyed into the computer system user (sic) using a keyboard at a video display terminal. (Ryan, col. 5, line 66 – col. 6, line 3).

Neither Ryan nor Brooks appear to disclose bodily injury insurance claims or processing bodily injury insurance claims. Applicant further submits that processing bodily injury insurance claims involves different processes and data than processing life insurance claims. For example, processing a bodily injury claim includes “evaluating, analyzing and estimating the amount of

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damage associated with the bodily injuries” as recited in claim 1. Ryan and Brooks do not, separately or in combination, appear to disclose these processes.

Applicant submits that, for at least the reasons stated above, the cited art does not appear to teach or suggest the combination of features found claims 1, 13, 24, 29, 40, 43, 54, 64, 69, 78, 81, 88, 95, 100, 108 and claims dependent thereon. Applicant submits that the claims are patentable over the cited art pursuant to 35 USC §103(a) and respectfully requests the withdrawal of the Examiner's rejections on these grounds.

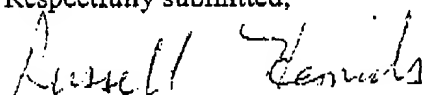
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C. Summary

Based on the above, Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully solicited.

On November 24, Applicant submitted a request for continued examination. As such, Applicant submits that no fee is due for the filing of this response. If any further extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/5053-35700/EBM.

Respectfully submitted,



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